

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2007-094087

05/26/2011

HONORABLE BRUCE R. COHEN

CLERK OF THE COURT

C. Gauna

Deputy

IN RE THE MATTER OF
DORIS C WILLIAMS

DORIS C WILLIAMS
PO BOX 2755
CHANDLER AZ 85244

AND

HENRY THOMAS WILLIAMS JR.

HENRY THOMAS WILLIAMS JR.
1050 E RAY RD 115
CHANDLER AZ 85225

AG-CHILD SUPPORT-EAST VALLEY
OFFICE
IV-D COMMISSIONER-SE
SARAH HUNT
CPS
2066 W APACHE TRAIL #101
APACHE JUNCTION AZ 85120-3733

**TELEPHONIC STATUS CONFERENCE
ORDER RE: COMMUNICATION AND PARENTING TIME
TELEPHONIC STATUS CONFERENCE SET
REFERRAL TO IV-D COMMISSIONER**

Courtroom 304-SE

8:03 a.m. This is the time set for telephonic Status Conference. Petitioner/Mother, Doris C. Williams, is telephonically present on her own behalf. Respondent/Father, Henry Thomas Williams, is telephonically present on his own behalf.

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A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

The court set this telephone Status Conference following the Emergency Hearing on May 20, 2011. Subsequent to the last proceeding, Father experienced a significant emotional crisis which led him to prepare a letter to the court dated May 21, 2011. Mother has not received a copy thereof but the contents were read to her on the record this date.

Father indicates that with the assistance of counselors, he has recovered from the crisis experienced. As a result, he has rescinded the position set forth in his letter. He intends to continue to address the underlying allegations and intends to pursue his legal rights to his children. Therefore, while the letter shall be filed with the Clerk of Court and a copy mailed to Mother, it shall have no impact on later proceedings and is included only to ensure a complete record.

Father also provided a copy of the investigative report from the Scottsdale Police Department. Mother has not yet seen a copy thereof and a review indicates that the decision of whether to bring charges against Father has been forwarded to the County Attorney's Office. Again, for the purpose of ensuring a complete record, the report is filed with the Clerk of Court this date and a copy shall be mailed to Mother.

The court finds that the letter from Father and the police report contain sensitive information that could impact Father's rights and as importantly the rights of the children. As such,

IT IS ORDERED that Father's letter dated May 21, 2011 and the Scottsdale Police Department Report shall be filed as a confidential court record with access afforded only to court personnel and the parties or counsel involved in this litigation. Greater access shall be granted only upon showing of good cause.

At present, there are three independent processes that are being pursued. There has been a criminal investigation and it is unknown whether charges shall be brought. There is presently a Child Protective Services (CPS) investigation and the assigned case worker is Sara Hunt out of the Apache Junction office. According to Mother, Ms. Hunt has made efforts to reach Father but he has not made contact with her. According to Father, he and Ms. Hunt have exchanged telephone messages. In any event, Father is directed to continue in his efforts to make contact with Ms. Hunt. In doing so, however, the court once again reminds Father of his Fifth Amendment rights.

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The third process relates to this litigation. The court had directed the parties to make inquiry into having a forensic interview conducted for Hannalee. Father indicates that he has retained the services of an advocate who is assisting with that process. Father has been quoted a fee of approximately \$100 and notes that he has or will be able to secure the funds for the interview to be conducted. Assuming Father identifies a qualified agency to perform the forensic interview and has the fees available to pay in advance for the service, he shall notify Mother in writing as to the name, address and phone number of the agency or individual. The service provider must comply with current standard practices for a forensic interview if that provider is to be utilized. Assuming those assurances are given, Mother is required to arrange for Hannalee to submit for the forensic interview. She shall notify Father in writing that it has been scheduled and the date by which it shall be completed. The report shall then be provided to both parties. Alternatively, if pursued by CPS, the forensic interview may be conducted by one of their providers.

It is imperative that the criminal investigation, CPS investigation and this litigation be conducted in a comprehensive but yet timely fashion. Since there are a number of elements to the process, it is necessary for the court to delay the setting of the evidentiary hearing in this matter.

IT IS ORDERED setting this matter for telephonic Status Conference on August 22, 2011 at 8:30 a.m. (Time allotted: 15 minutes) in this Division. To participate therein, each party shall contact Judge Benjamin Norris's Division at 602-372-3582 no later than five minutes prior to the start of the Conference.

Due to the judicial rotation scheduled to occur in June, 2011, this represents a change in judicial assignment and both parties are on notice thereof in accordance with Rule 6 of the Arizona Rules of Family Law Procedure and Rule 42 of the Arizona Rules of Civil Procedure.

The parties are expected to update the court as to the status of any CPS investigation or criminal charges, if known. **A copy of this minute entry is being provided to CPS and if possible, the assigned case worker or other representative is asked to participate in the telephone conference as well.** Additionally, the parties shall review with the court any information generated through the forensic interview as well as any new details relating to the allegations or actions taken. In all likelihood, if the issues remain contested at that time, a full evidentiary hearing shall be scheduled.

It is important to note that no findings have yet been made in favor of or against the positions taken by each party. Further, each party has been advised that they are required to communicate in a timely fashion. The parties shall utilize email as their method for

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communication. Each party is required to respond in a timely fashion to the email of the other, even if it is merely to acknowledge receipt. The communications shall be limited to those matters relating to this case or any of the services or actions referenced above. If either party believes that the other has utilized email for inappropriate purposes, copies of all emails shall be made and provided to the court in advance of the next telephone conference.

IT IS FURTHER ORDERED that Father shall be entitled to have supervised parenting time with either or both children. It is anticipated that such supervised parenting time shall be arranged through CPS. If CPS is unable or unwilling to provide that assistance, the parties shall utilize the services of the Parenting Skills Program for monitored supervision. Parenting Skills' address and telephone number is as follows: 2131 E. Broadway Road, Suite 15, Tempe, Arizona 85282, (480) 967-6895. Both parties are expected to cooperate to ensure that some level of contact between Father and either or both children is maintained.

It is noted by Mother that there are support related issues, including those relating to arrears. Since this is a IV-D matter,

IT IS ORDERED referring this matter to the IV-D Commissioner for both enforcement proceedings and possible modification of child support proceedings based upon Father's claims as to his current unemployment. The hearing shall be scheduled by separate order.

IT IS FURTHER ORDERED signing this minute entry as a formal order of this Court pursuant to Rule 81(D), Arizona Rules of Family Law Procedure.

8:49 a.m. Matter concludes.

FILED: Letter dated May 21, 2011, Scottsdale Police Department Report (confidential)

Dated this 26th day of May, 2011

/S/ BRUCE R. COHEN

BRUCE R. COHEN
SUPERIOR COURT JUDICIAL OFFICER

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.